

failure to construct within the time provided as same now exists, creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is so suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,  
Austin, Texas, March 14, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 262, A bill to be entitled "An Act to require railroad companies and common carriers to place cars upon written application by shippers within a reasonable time to be prescribed by the Railroad Commission of Texas," etc.,

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass.

BRACHFIELD, Chairman.

(Majority Report.)

Committee Room,  
Austin, Texas, March 14, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

Senate bill No. 98, A bill to be entitled "An Act to amend Article 4542, Title XCIV, Chapter 11, of the Revised Statutes of 1895,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass.

BRACHFIELD, Chairman.

(Minority Report.)

Committee Room,  
Austin, Texas, March 14, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, the undersigned members of your Committee on Internal Improvements, to whom was referred

Senate bill No. 98, A bill to be entitled "An Act to amend Article 4542, Title XCIV, Chapter 11, of the Revised Statutes of 1895,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do not pass.

WILLACY,  
FAUST.

Committee Room,

Austin, Texas, March 14, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

Senate bill No. 253, A bill to be entitled "An Act to amend Article 4577, Chapter 13, Title XCIV, of the Revised Civil Statutes of the State of Texas of 1895, relating to railroads,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass.

BRACHFIELD, Chairman.

#### FIFTIETH DAY.

Senate Chamber,  
Austin, Texas,  
Friday, March 15, 1907.

Senate met pursuant to adjournment.  
Lieutenant Governor Davidson in the chair.

Roll call, quorum present, the following answering to their names:

Alexander.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grimman.	Smith.
Harper.	Stone.
Holsey.	Terrell.
Hudspeth.	Veale.
Kellie.	Willacy.

Absent.

Barrett.	Stokes.
Glasscock.	Watson.
Harbison.	

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Mayfield, the same was disposed of.

(See Appendix for committee reports, petitions and memorials.)

#### EXCUSED.

On motion of Senator Chambers, Senator Stokes was excused from attendance upon the Senate for yesterday and balance of the week, on account of important business.

On motion of Senator Senter, Senator

Hudspeth was excused from attendance upon the Senate for Wednesday and yesterday, on account of sickness.

On motion of Senator Mayfield, Senator Glasscock was excused from attendance upon the Senate for today and tomorrow.

#### BILLS AND RESOLUTIONS.

By Senator Senter:

Senate bill No. 281, A bill to be entitled "An Act to amend Article 4584a, Chapter 14, Title XCIV, of the Revised Civil Statutes of 1895, relating to the regulation of the issuance of railroad stocks and bonds."

Read first time, and referred to Committee on Internal Improvements.

By Senators Brachfield, Terrell, Kellie, Stone and Chambers:

Senate bill No. 282, A bill to be entitled "An Act to prevent the keeping of certain fruit trees affected with yellows, crown gall, black knot, or any tree, shrub, plant, fruit or other articles of commerce infested with or by San Jose scale or other dangerous, injurious or destructive pest; and declaring such infested and affected trees, shrubs and plants a public nuisance, and making it the duty of the Commission of Agriculture, Insurance, Statistics and History to seek out and destroy such trees, shrubs and plants or cause the same to be done, or to have such affected or infested trees treated; and providing the manner of such destruction and treatment, and for an investigation by the Commissioner of Agriculture, Insurance, Statistics and History, when he believes, or has reasons to believe, that any such diseases or pests may exist in this State, and providing the manner of combating such diseases and pests, and the prevention of their spread and dissemination; providing for the examination of nurseries, orchards, greenhouses, forest trees when offered for sale, shrubbery, fruit, and all other articles of commerce which are hosts of San Jose or citrus scale or other injurious pests, and giving certificates to that effect; regulating the importation of trees, shrubs, plants and fruit from without the State, forbidding the selling, consigning or shipping of nursery stock without such certificates; providing for the fumigation of certain trees, shrubs, plants and fruits; providing for penalties, and making an appropriation and declaring an emergency."

Read first time, and referred to Committee on Agricultural Affairs.

By Senator Green:

Senate bill No. 283, A bill to be entitled "An Act to create a more efficient road system for Gillespie county, Texas."

Read first time, and referred to Committee on Roads, Bridges and Ferries.

By Senator Stone:

Senate Joint Resolution No. 22, Joint resolution amending Section 9 of Article 8 of the Constitution of the State of Texas, providing for the levying of a tax of not exceeding 10 cents on \$100 valuation, to pay pensions to indigent and disable Confederate soldiers or sailors and their widows in indigent circumstances.

Read first time, and referred to Committee on Constitutional Amendments.

By Senator Senter:

Senate Concurrent Resolution No. 12, making application to the Congress of the United States to call for a convention to propose an amendment to the Constitution of the United States to provide for the election of United States Senators by direct vote of the qualified electors of the several States and requesting the Governor to call a convention to further the purposes of this resolution.

Read first time, and referred to Committee on Federal Relations.

Morning call concluded.

#### SENATE CONCURRENT RESOLUTION NO. 7.

On motion of Senator Stone, the pending order of business (Senate bill No. 198) was suspended, and the Senate took up, out of its order, Senate Concurrent Resolution No. 7.

The Chair laid before the Senate,

Senate Concurrent Resolution No. 7, A resolution providing for the appointment of a special committee to investigate the cost of the life-size picture of David Crockett, now hanging on the walls of the first floor of the Capitol, and which is the property of Mrs. Huddle, with the view of purchasing same.

The resolution was read, and adopted.

#### SENATE BILL NO. 164.

On motion of Senator Grinnan, the pending order of business (Senate bill No. 198) was suspended, and the Senate took up, out of its order, Senate bill No. 164.

The Chair laid before the Senate, on second reading,

Senate bill No. 164, A bill to be entitled "An Act relating to fines, forfeitures and penalties due the State of Texas, to provide for securing the payment thereof, to provide for the enforcement thereof against corporations that have or may hereafter dissolve, and to provide for the survival of actions and causes of actions therefor."

Senator Grinnan offered the following substitute for the bill and moved that same be printed in the Journal, and lay on table subject to call.

The motion prevailed, and the following is the substitute bill:

S. S. B. No. 164. By Grinnan and Mayfield

#### A BILL

#### To Be Entitled

An Act relating to fines, penalties and forfeitures due or to become due to the State of Texas by foreign or domestic corporations; to provide for the securing and enforcement of payment thereof; to fix liens upon the property of such corporations to secure payment thereof; to provide for the survival of actions and causes of action in case of the dissolution or forfeiture of charters or cancellation of permits of such corporations; to provide for the appointment of receivers; fixing venue; providing that this act shall be cumulative of all other laws in force in this State, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Whenever any corporation created under the laws of this State or any foreign corporation authorized to do business in this State shall violate any laws of this State, including any law against trusts, monopolies and conspiracies, or combinations or contracts in restraint of trade, for the violation of which fines or penalties or forfeitures are provided, all property of such corporation within this State at the time of such violation, or which may thereafter come within this State, shall, by reason of such violation, become liable for such fines or penalties and for all costs of suit and of collection, and the State of Texas shall have a lien on all such property from the date that suit shall be instituted by the Attorney General, or district or county attorney acting under his direction, in any court of competent jurisdiction within this State for the purpose of forfeiting the charter or cancelling the permit of such

corporation, or for such fines or penalties, the institution of such suit for such fine, penalties or forfeiture shall constitute notice of such lien. When any such law has heretofore been violated, or shall be violated before the taking effect of this act, and a cause of action exists for such fine, penalties or forfeiture, or shall come into existence before the taking effect of this act and suit shall be filed in such case, the State shall have a lien to secure the payment of such fine, penalties and costs from the time this act shall take effect on all property of such corporation within this State or which shall thereafter come or be brought within the State.

Sec. 2. Any action or cause of action for any fine, forfeiture or penalty that the State of Texas has or may have against any corporation chartered under the laws of this or any other State, territory or nation, shall not abate or become abated by reason of the dissolution of such corporation whether voluntary or otherwise, or by the forfeiture of its charter. Whenever a corporation against which the State has heretofore instituted suit, or shall hereafter institute suit, for forfeiture of its charter or cancellation of its permit, or for fines or penalties under any law of this State, shall dissolve in this or any other State, or shall have a judgment rendered against it in this or any other State for the forfeiture of its charter, the court in this State in which such suit is pending shall appoint a receiver for the property and business of such corporation within this State, or that may come or be brought within the State during such receivership, or the court may, in any case wherein the State is suing any such corporation for the forfeiture of its charter or of its permit to do business in this State, or for fines or penalties, appoint a receiver for such corporation, whenever the interest of the State may seem to require such action. If such dissolution shall take place or judgment or forfeiture be rendered against any such corporation before this act takes effect the court shall, upon the taking effect of this act, appoint a receiver for the property and business of such corporation in this State; and the State shall have the right to the writ of attachment, garnishment, sequestration or injunction, without bond, to aid in the enforcement of its rights created by this act; and all property that may come into the possession of any receiver appointed under the provisions of this act, not otherwise exempt by law, shall be subject to the lien created, and for the payment of any such fine or penalty.

Sec. 3. The Attorney General, or any district or county attorney acting under his direction, may bring suit in the name of the State of Texas for the foreclosure of such lien in the district court of any county in the State of Texas, and in case the suit for foreclosure should be brought against any corporation which has dissolved or had a judgment for the forfeiture of its charter or the cancellation of its permit rendered against it, pending any suit by the State of Texas against such corporation for forfeiture of its charter or cancellation of its permit or for penalties or fines, service may be had upon any person within this State who acted and was acting as agent of any such corporation in this State at the time of such dissolution or forfeiture of charter or cancellation of permit.

Sec. 4. The rights and remedies given by this act shall be construed as cumulative of all other laws in force in this State, and shall not effect, change or repeal any other remedies or rights now existing in this State for the enforcement, payment or collection of fines, penalties and forfeitures.

Sec. 5. The fact that there is no law that prevents the abatement of actions or causes of action for fines and penalties when corporations becoming liable for same shall dissolve or be dissolved by forfeiture of their charters, or cancellation of their permits, and the fact that there is no adequate remedy for the enforcement and collection of such fines and penalties, creates an emergency and an imperative public necessity demanding that the constitutional rule requiring bills to be read on three several days in each house be suspended, and it is so suspended, and that this act shall take effect and be in force from and after its passage, and it is so enacted.

GRINNAN,  
MAYFIELD.

#### SENATE BILL NO. 260.

On motion of Senator Masterson, the pending order of business (Senate bill No. 198) was suspended, and the Senate took up, out of its order, Senate bill No. 260.

The Chair laid before the Senate, on second reading,

Senate bill No. 260, A bill to be entitled "An Act to ratify and confirm the action of the Board of Commissioners of the city of Galveston, passed February 14, 1907, releasing and conveying to the United States of America that

certain area or territory in Galveston Bay therein set forth and described."

Bill read second time, and ordered engrossed.

On motion of Senator Masterson, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Alexander.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Smith.
Grinnan.	Stone.
Harper.	Terrell.
Holsey.	Veale.
Kellie.	Willacy.

Absent.

Barrett.	Murray.
Harbison.	Stokes.
Hudspeth.	Watson.

Absent—Excused.

Glasscock.

The bill was read third time, and passed by the following vote:

Yeas—24.

Alexander.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Smith.
Grinnan.	Stone.
Holsey.	Terrell.
Kellie.	Veale.
Looney.	Willacy.

Absent.

Barrett.	Hudspeth.
Harbison.	Stokes.
Harper.	Watson.

Absent—Excused.

Glasscock.

Senator Masterson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 198.

The Chair laid before the Senate, on second reading and as pending business, Senate bill No. 198, A bill to be entitled "An Act to amend Articles 5098, 5100, 5120 and 5124 of Chapter 3, Title CIV, of the Revised Civil Statutes of 1895, relating to taxation."

The following amendment by Senator Senter was pending, and on Senator Senter's motion the amendment was laid on the table subject to call.

Action recurred on Senate bill No. 198, and Senator Senter offered the following amendment:

Amend the bill by adding to Article 5098, page 2, of the printed bill, as amended, the following words:

"And it is further provided, that no person, firm or corporation owning any property taxable under any laws of this State shall maintain any suit or action at law or equity in any court of this State unless it shall appear by allegation and proof that all such property so owned by such person, firm or corporation which should have been rendered under the laws of the State for taxation during the twelve months immediately preceding the filing of said suit or action has been truly rendered as required by law."

Pending.

Here Senator Looney moved to reconsider the vote by which his amendment to this bill was adopted on Tuesday (a motion having been made on Wednesday to reconsider the vote and spread the motion on the Journal, page 599).

Senator Chambers moved to table the motion, which motion to table was lost. The motion to reconsider then prevailed, which placed the amendment before the Senate.

Senator Looney asked unanimous consent to withdraw the amendment, and Senator Chambers objected.

Senator Looney then moved to be permitted to withdraw the amendment as amended.

The motion prevailed.

Senator Hudspeth offered the following amendment:

Amend Senate bill No. 198, page 2, after the word "taxes," in line 20, the following:

"And provided further, that the tax assessor of any county in this State, who has reason to believe and does believe, that any owner of live stock has failed to render the full amount of live stock owned by such person to said assessor, then the tax assessor shall have the power to call for books showing

yearly branding of said owner of live stock, and the said tax assessor shall also have the power to round up and count the stock of said owner for the purpose of getting a proper and full rendition of same, and provided further, that any owner as designated herein, who shall refuse to deliver over said books to said assessor or refuse to let said assessor round up and count his stock for the purpose of ascertaining the real number thereof, shall be fined in any sum not less than \$500 nor more than \$1000."

The amendment was adopted.

Senator Griggs offered the following amendment, which was adopted:

Amend the bill by inserting after the word "value," line 25, page 1, the following:

"And that the above statement and inventory includes the full amount of money and cash funds by myself owned, possessed or claimed, whether on deposit in bank or other depository; that I have not withdrawn any cash, money or other thing of value from any bank or other depository, nor transposed the same into any other form nor have I sent or taken nor caused to be sent or taken any cash, funds or money out of this county or this State for the purpose of avoiding the assessment thereof for taxation."

Senator Terrell offered the following amendment:

Amend the bill by striking out all between the words "made" in line 14 and "the" in line 18, on page 2 of the bill and insert in lieu thereof the following: "Shall be punished by confinement in the penitentiary for not less than two years nor more than five years."

(Senator Holsey in the chair.)

Senator Looney offered the following amendment to the amendment:

Amend the amendment by striking out "confinement in the penitentiary for not less than two years nor more than five years." and insert in lieu thereof, "fine of not less than \$25 nor more than \$100 for each offense."

The amendment to the amendment was lost.

Senator Senter here asked unanimous consent to withdraw his amendment, which was on the table subject to call. There being no objection, the amendment was so withdrawn.

Senator Terrell offered the following substitute for the amendment:

Amend the bill by striking out all between the words "made," in line 14 and "the," in line 18 on page 2 of the bill

and insert in lieu thereof the following: "Shall be punished by fine of not less than \$25 nor more than \$100 and by confinement in the county jail not less than thirty days nor more than sixty days.

The substitute amendment was adopted by the following vote:

## Yeas—15.

Alexander.	Kellie.
Brachfield.	Mayfield.
Green.	Meachum.
Greer.	Paulus.
Griggs.	Skinner.
Harper.	Terrell.
Holsey.	Watson.
Hudspeth.	

## Nays—10.

Chambers.	Murray.
Cunningham.	Senter.
Faust.	Smith.
Grinnan.	Stone.
Looney.	Veale.

## Absent.

Barrett.	Masterson.
Harbison.	Willacy.

## Absent—Excused.

Glasscock.	Stokes.
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The amendment, as substituted, was then adopted.

Senator Alexander offered the following amendment, which was adopted:

Amend the bill by inserting after the adopted amendment by Senator from Harris the following:

"And that I have rendered for taxation in above list all notes, bonds, securities, credits and evidences of debt subject to taxation in this county and that I have not sent or taken or caused to be sent or taken any property, bills, bonds, notes or other securities or evidences of debts, out of this county or State to avoid taxation, and I have rendered all leasehold interests and franchise rights subject to taxation."

Senator Senter offered the following amendment, which was adopted:

Amend the bill, Article 5120, page 3, by adding at the end of Subdivision 2, line 14, the following: "And shall make such corrections as may be necessary to equalize and make uniform the basis, scale, and method of valuation upon all assessments of both real and personal property."

Senator Brachfield offered the following amendment:

Amend by striking out all of line 1, page 3, down to and including the word "process."

BRACHFIELD,  
FAUST.

Senator Grinnan offered the following substitute for the amendment:

Amend by striking out all after the word "value," in line 32, page 2, down to and including the word "some," in line 3, page 3.

On motion of Senator Brachfield, the substitute was tabled.

(Lieutenant Governor Davidson in the chair.)

The amendment was then adopted.

Senator Smith offered the following amendment:

Amend line 1, page 2, Section 1 of the bill, by inserting after the word "value," the following: "But in case the owner of real estate, on the day when the same is required by law to be rendered for taxation, shall owe purchase money therefor, for which a valid vendor's lien exists on said land, subject to taxation under the laws of this State, and shall make proof to said assessor by his affidavit and such further evidence as such assessor may require and shall thus satisfy such assessor that such valid vendor's lien exists upon said land, and the amount of such lien, then the assessor shall deduct the amount of such lien from the market value of said land and render for taxation the remainder as the owner's interest and equity in said land."

Senator Grinnan offered the following amendment to the amendment:

Amend the amendment by adding:

"And if said debts, claims or demands are secured by a deed of trust, mortgage or lien on real estate, then said deed of trust, mortgage and lien and the debt, claim or demand secured thereby shall be subject to taxation and shall be taxed together, but in no event shall said deed of trust, mortgage or lien and debt be assessed together at a greater value than said debt, claim or mortgage or lien, and shall not be foreclosed or property sold thereunder until said taxes are paid, and the State shall have a lien on said mortgage, deed of trust or lien to secure said taxes, which may be foreclosed as other like lien on real estate in this State; provided, that the owner of the lands who shall pay the tax assessed against the note or lien shall have a credit on his note or other evidence of indebtedness for the amount of such taxes."

## RECESS.

Senator Skinner moved that the Senate recess until 3 o'clock today.

Senator Stone moved that the Senate adjourn until Monday morning at 10 o'clock.

Action being on the longest time first, the motion to adjourn until Monday was lost by the following vote:

Yeas—3.

Meachum.	Stone.
Murray.	

Nays—23.

Alexander.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Paulus.
Faust.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Terrell.
Grinnan.	Veale.
Harper.	Watson.
Holsey.	Willacy.
Kellie.	

Absent.

Barrett.	Hudspeth.
Harbison.	

Absent—Excused.

Glasscock.	Stokes.
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Senator Cunningham moved that the Senate recess until 8 o'clock today, which motion was lost by the following vote:

Yeas—8.

Cunningham.	Meachum.
Grinnan.	Paulus.
Kellie.	Senter.
Masterson.	Stone.

Nays—18.

Alexander.	Looney.
Brachfield.	Mayfield.
Chambers.	Murray.
Faust.	Skinner.
Green.	Smith.
Greer.	Terrell.
Griggs.	Veale.
Harper.	Watson.
Holsey.	Willacy.

Absent.

Barrett.	Hudspeth.
Harbison.	

Absent—Excused.

Glasscock.	Stokes.
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The motion to recess until 3 o'clock was then adopted.

## AFTER RECESS.

The Senate was called to order by President Pro Tem. Skinner.

## SENATE BILL NO. 198.

Action recurred on Senate bill No. 198, the question being on the amendment by Senator Grinnan to the amendment by Senator Smith.

## SENATE CONCURRENT RESOLUTION NO. 6.

On motion of Senator Veale, the pending order of business (Senate bill No. 198) was suspended, and the Senate took up, out of its order, Senate Concurrent Resolution No. 6.

The Chair laid before the Senate Senate Concurrent Resolution No. 6, Resolved by the Senate, the House concurring, That Hon. H. G. Hendrick, judge of the Thirty-first Judicial District of Texas, be and is hereby permitted to absent himself from the State of Texas for a period of two months during the summer of 1907.

The committee report was adopted.

The resolution was read, and adopted. Senator Veale moved to reconsider the vote by which the resolution was passed, and lay that motion on the table.

The motion to table prevailed.

## EXCUSED.

On motion of Senator Veale, Senator Greer was excused from attendance upon the Senate for today and until the 21st of this month, on account of important business.

On motion of Senator Faust, Senator Barrett was excused from attendance upon the Senate for today, on account of business.

(Senator Cunningham in the chair.)

## SENATE BILL NO. 198.

Action recurred on Senate bill No. 198, the question being on the amendment by Senator Grinnan to the amendment by Senator Smith.

(Senator Grinnan in the chair.)

The amendment to the amendment was adopted by the following vote:

Yeas—14.

Brachfield.	Harper.
Chambers.	Holsey.
Cunningham.	Looney.
Griggs.	Meachum.
Grinnan.	Paulus.

Senter. Stone.  
Smith. Veale.

Nays—11.

Alexander. Murray.  
Faust. Skinner.  
Green. Terrell.  
Hudspeth. Watson.  
Kellie. Willacy.  
Mayfield.

Absent.

Harbison. Masterson.

Absent—Excused.

Barrett. Greer.  
Glasscock. Stokes.

Senator Terrell moved to table the amendment as amended, which motion to table was lost by the following vote:

Yeas—11.

Alexander. Meachum.  
Green. Skinner.  
Griggs. Terrell.  
Hudspeth. Watson.  
Kellie. Willacy.  
Mayfield.

Nays—14.

Brachfield. Looney.  
Chambers. Murray.  
Cunningham. Paulus.  
Faust. Senter.  
Grinnan. Smith.  
Harper. Stone.  
Holsey. Veale.

Absent.

Harbison. Masterson.

Absent—Excused.

Barrett. Greer.  
Glasscock. Stokes.

The amendment as amended was then adopted by the following vote:

Yeas—14.

Brachfield. Looney.  
Chambers. Murray.  
Cunningham. Paulus.  
Faust. Senter.  
Grinnan. Smith.  
Harper. Stone.  
Holsey. Veale.

Nays—11.

Alexander. Meachum.  
Green. Skinner.  
Griggs. Terrell.  
Hudspeth. Watson.  
Kellie. Willacy.  
Mayfield.

Absent.

Harbison. Masterson.

Absent—Excused.

Barrett. Greer.  
Glasscock. Stokes.

Senator Chambers moved to reconsider the vote by which the amendment was adopted, and lay that motion on the table.

The motion to table prevailed.

(Lieutenant Governor Davidson in the chair.)

Senator Alexander offered the following amendment, which was adopted:

Amend Senate bill No. 198 by adding:

"Sec. 5. The crowded condition of the calendar and the fact that there is no law to compel a full and fair rendition of property for taxation, create an emergency and an imperative public necessity demanding the suspension of the constitutional rule requiring bills to be read on three several days, and that this act shall take effect from and after its passage, and it is so enacted."

Senator Alexander offered the following amendment:

Amend Senate bill No. 198 by adding after the word "taxation" in the caption the words, "fixing penalties and declaring an emergency."

Senator Terrell moved the previous question on the amendment and the engrossment of the bill. The motion being seconded, was ordered by the following vote:

Yeas—17.

Alexander. Meachum.  
Brachfield. Paulus.  
Chambers. Senter.  
Cunningham. Skinner.  
Green. Smith.  
Griggs. Terrell.  
Harper. Watson.  
Hudspeth. Willacy.  
Looney.

Nays—8.

Faust. Mayfield.  
Grinnan. Murray.  
Holsey. Stone.  
Kellie. Veale.

Absent.

Harbison. Masterson.

Absent—Excused.

Barrett. Greer.  
Glasscock. Stokes.

The amendment by Senator Alexander was then adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Alexander, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

## Yeas—24.

Alexander.	Looney.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Paulus.
Faust.	Senter.
Green.	Skinner.
Griggs.	Smith.
Grinnan.	Stone.
Harper.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.

## Absent.

Harbison.	Murray.
Masterson.	

## Absent—Excused.

Barrett.	Greer.
Glasscock.	Stokes.

Senator Grinnan offered the following amendment:

Amend by adding after the word "property," in line 3, page 3, the following: "Of the person testifying."

GRINNAN,  
BRACHFIELD.

The amendment was adopted by the following vote:

## Yeas—24.

Alexander.	Looney.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Smith.
Harper.	Stone.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.

## Nays—1.

Terrell.

## Absent.

Harbison.	Masterson.
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## Absent—Excused.

Barrett.	Greer.
Glasscock.	Stokes.

The bill was read third time, and passed by the following vote.

## Yeas—19.

Alexander.	Mayfield.
Brachfield.	Meachum.
Cunningham.	Paulus.
Faust.	Senter.
Green.	Skinner.
Griggs.	Terrell.
Grinnan.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.
Kellie.	

## Nays—6.

Chambers.	Masterson.
Harper.	Murray.
Looney.	Stone.

## Present—Not Voting.

Smith.

## Absent.

Harbison.

## Absent—Excused.

Barrett.	Greer.
Glasscock.	Stokes.

Senator Alexander moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 15, 1907.  
Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House concurs in Senate amendments to House bill No. 5.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

CONFERENCE COMMITTEE REPORT  
—ADOPTION OF.

Committee Room,  
Austin, Texas, March 15, 1907.  
Hon. A. B. Davidson, President of the Senate, and Hon. Thos. B. Love, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to confer on Senate bill No. 36, submit the following report:

We have had said bill under consideration, and beg leave to report back that the bill do pass with the following amendment: In line 33, page 1, after the word "remove," insert the words, "or shall bring in any Federal court a suit against any citizen of this State or." Said amendment being the amendment placed on said bill by the House, and we, your Conference Committee, have agreed that said bill do pass with said amendment above mentioned.

TERRELL,  
CHAMBERS,  
CUNNINGHAM,  
VEALE,  
SMITH,

On the part of the Senate.

DUNCAN,  
HENDERSON,  
TERRY,  
ELKINS,

On the part of the House.

On motion of Senator Terrell, the report was adopted by the following vote.

Yeas—25.

Alexander.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Cunningham.	Paulus.
Faust.	Senter.
Green.	Skinner.
Griggs.	Smith.
Grinnan.	Stone.
Harper.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.
Looney.	

Absent.

Harbison.	Masterson.
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Absent—Excused.

Barrett	Greer.
Glasscock.	Stokes.

#### SENATE BILL NO. 50.

On motion of Senator Mayfield, the pending order of business (Senate bill No. 126) was suspended, and the Senate took up, out of its order, Senate bill No. 50.

The Chair laid before the Senate, on second reading,

Senate bill No. 50, A bill to be entitled "An Act making it unlawful to deal in futures, post or publish future quotations, permit the use of property for such purpose, furnish telegraph or telephone messages relative to futures,

permit telegraph or telephone wires, instruments or equipments to be used for transmitting or receiving such messages, or to remain in any place where such business is transacted, and defining such offenses and prescribing penalties therefor and procedure in trials of such offenses, and to prohibit by writs of injunction the use of any property prohibited by any provisions of this act."

On motion of Senator Mayfield, the bill was laid on the table subject to call.

#### SENATE BILL NO. 220.

On motion of Senator Murray, the pending order of business (Senate bill No. 126) was suspended, and the Senate took up, out of its order, Senate bill No. 220.

The Chair laid before the Senate, on second reading,

Senate bill No. 220, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office of Texas to have such surveying done in the territory between the Pecos river and the Rio Grande river as may be necessary to definitely locate the mineral-bearing school land surveys, and to co-operate with the Director of the United States Geological Survey in making a topographical survey and map of the localities as surveyed, and making an appropriation therefor, and making the disturbance of land marks and topographical marks a misdemeanor, and declaring an emergency."

Senator Murray offered the following amendment, which was adopted:

Amend the caption of the bill by adding after the word "to," in line 8, the following, "appoint a surveyor and." (Senator Cunningham in the chair.)

#### SENATE JOINT RESOLUTION NO. 4.

On motion of Senator Looney, the pending order of business (Senate bill No. 220) was suspended, and the Senate took up, out of its order, Senate Joint Resolution No. 4.

(Lieutenant Governor Davidson in the chair.)

The Chair laid before the Senate, on second reading,

Senate Joint Resolution No. 4, Proposing an amendment to Section 20 of Article 16 of the Constitution of the State of Texas, relating to local option laws."

The resolution was read second time, and ordered engrossed.

## HOUSE BILL NO. 535.

On motion of Senator Mayfield, the pending order of business (Senate bill No. 220) was suspended, and the Senate took up, out of its order, House bill No. 535.

The Chair laid before the Senate, for correction,

House bill No. 535, A bill to be entitled "An Act to incorporate the city of Temple in Bell county, Texas; to fix the boundaries thereof; to grant it a special charter; to define its powers; to provide for its government and the management of its affairs, and repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

(Note.—This bill had been finally passed by the Senate on a former day, and was recalled from the House by resolution for correction.)

Senator Mayfield moved to rescind the vote by which the final vote on the bill was reconsidered and tabled.

The motion to rescind prevailed.

Senator Mayfield moved to rescind the vote by which the bill finally passed.

The motion to rescind prevailed.

Senator Mayfield offered the following amendment:

I move to strike out Section 10, and insert the following:

"Sec. 10. Ownership and Regulations of Public Utilities.—The right is hereby granted to the city of Temple to acquire by purchase or to build and construct or to otherwise acquire its public utilities, such as gas, sewer, water and electric light works and street railways, subways or underground conduit systems for light, telephone and other wires conveying electric service. That such utilities may be purchased from persons or corporations owning them by either a payment in cash of the whole amount of the purchase price, the balance in annual installments, or otherwise, including interest; and the city council may assume the payment of outstanding bonds or other indebtedness against any such utility purchased and may call in and discharge the same at any time with the consent of the holder thereof, or may enter into any contract or agreement with respect to the payment of any outstanding bonds or indebtedness against any such utility, deemed best by the council, and the city may issue bonds to provide funds to pay the whole of any such purchase price or to pay the part thereof desired to be paid, and may issue bonds to pay off and discharge any bonds or other outstanding indebtedness against any such utility purchased at any time and in any amount neces-

sary to discharge such indebtedness, and in the event of the purchase of any such utility and the payment of less than the entire amount of the agreed price thereof in cash, the council may provide for the payment of any outstanding bonds or indebtedness assumed out of the revenues of such utility as they approve from time to time, or may issue bonds at once in any amount necessary, or from time to time in accordance with any agreement made to take up and discharge any such indebtedness or to extend the time of payment thereof, or may pay such indebtedness out of both such revenues and such utility purchased and the proceeds of the issuance and sale of bonds therefor, or either, or may pay such indebtedness in any other manner not prohibited by law and with any other moneys obtained or derived from a source not prohibited by law, and on such terms as the city council may deem best. It is provided, however, that such works, or any such public utility so purchased on time, shall stand pledged as security for the payment of the amount due thereon, but that no judgment shall be rendered against the city upon any deferred note or bond requiring the city to pay specified sums of money, but said judgment shall be merely one of foreclosure, divesting and depriving the city of possession of the property so purchased, but not paid for, in which event the city shall forfeit and lose only the cash payment of the agreed price, without liability or judgment in any sum and because of any account whatever for or because of the unpaid purchase price; provided, that no purchase or expenditure shall be made under this section unless the same shall first have been submitted to a vote of the qualified tax paying voters at an election to be held exclusively for the purpose; provided, however, that the election held in the city of Temple on February 12, 1907, on the subject of whether or not the city of Temple should own its waterworks, at which election a majority of the votes polled were in favor of the ownership by the city of its waterworks, shall be sufficient authority for said city to either purchase or construct and build a waterworks system on such terms and in such manner as the city council may elect without another election thereon; but no bonds for either the purchase of waterworks for the city or the building and construction thereof for the city or for any purpose whatever, shall be issued unless an election be held and a majority of the votes polled be in favor of creating such debt, as provided by law; pro-

vided, nevertheless, that if the city of Temple should hold an election to determine whether or not the city should assume the payment of any bonds or other outstanding indebtedness existing against any such utility sought to be purchased by the city, and if a majority of the votes polled at such election should be in favor of the assumption by the city of such bonds or other indebtedness, then in such event it shall not be necessary for the city or the people thereof to vote or hold an election upon the question of whether or not bonds shall be issued at any time for the purpose of taking up and discharging such bonds or indebtedness assumed or extending the time of the payment thereof, but the city council may, in such case, issue any bonds necessary to pay off and discharge said indebtedness assumed or to extend the time of the payment thereof without an election by the people thereon. And the right is hereby expressly granted to the city of Temple to regulate all public utilities in said city, and to require efficiency of public service and to require all persons or corporations to discharge the duties and undertakings for the performance of which the respective franchises were granted."

The amendment was adopted by the following vote:

Yeas—26.

Alexander.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Smith.
Harper.	Stone.
Holsey.	Terrell.
Hudspeth.	Veale.
Kellie.	Watson.
Looney.	Willacy.

Absent.

Harbison.

Absent—Excused.

Barrett.	Greer.
Glasscock.	Stokes.

The bill was read third time, and passed by the following vote:

Yeas—26.

Alexander.	Cunningham.
Brachfield.	Faust.
Chambers.	Green.

Griggs.	Murray.
Grinnan.	Paulus.
Harper.	Senter.
Holsey.	Skinner.
Hudspeth.	Smith.
Kellie.	Stone.
Looney.	Terrell.
Masterson.	Veale.
Mayfield.	Watson.
Meachum.	Willacy.

Absent.

Harbison.

Absent—Excused.

Barrett.	Greer.
Glasscock.	Stokes.

Senator Mayfield moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 210.

On motion of Senator Brachfield, the pending order of business (Senate bill No. 220) was suspended, and the Senate took up, out of its order, Senate bill No. 210.

The Chair laid before the Senate, on second reading,

Senate bill No. 210, A bill to be entitled "An Act to change and prescribe the time for holding district court in the Fourth Judicial District."

The committee report, which provided that the bill be not printed, was adopted on motion of Senator Brachfield.

Bill read second time and ordered engrossed.

On motion of Senator Brachfield, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Alexander.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Smith.
Harper.	Stone.
Holsey.	Terrell.
Hudspeth.	Veale.
Kellie.	Watson.
Looney.	

Absent.

Harbison.	Willacy.
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## Absent—Excused.

Barrett. Greer.  
Glasscock. Stokes.

The bill was read third time, and passed by the following vote:

## Yeas—26.

Alexander.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Smith.
Harper.	Stone.
Holsey.	Terrell.
Hudspeth.	Veale.
Kellie.	Watson.
Looney.	Willacy.

## Absent.

Harbison.

## Absent—Excused.

Barrett. Green.  
Glasscock. Stokes.

Senator Brachfield moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 220 LAID ON TABLE SUBJECT TO CALL.

Here Senator Murray moved that Senate bill No. 220, action upon which had been suspended, be laid on the table subject to call.

The motion prevailed.

## SENATE BILL NO. 246.

On motion of Senator Grinnan, the pending order of business (Senate bill No. 126) was suspended, and the Senate took up, out of its order, Senate bill No. 246.

The Chair laid before the Senate, on second reading

Senate bill No. 246, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1906, and which have failed, or are about to fail, to construct their roads and branches, or any part thereof, within the time required by law."

Bill read second time, and ordered engrossed.

On motion of Senator Grinnan, the constitutional rule requiring bills to be read on three several days was sus-

pending, and the bill put on its third reading and final passage by the following vote:

## Yeas—25.

Alexander.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Stone.
Harper.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.
Looney.	

## Absent.

Harbison. Smith.

## Absent—Excused.

Barrett. Greer.  
Glasscock. Stokes.

The bill was read third time, and passed by the following vote:

## Yeas—25.

Alexander.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Stone.
Harper.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.
Looney.	

## Absent.

Harbison. Smith.

## Absent—Excused.

Barrett. Greer.  
Glasscock. Stokes.

Senator Grinnan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## RECESS.

Senator Skinner moved that the Senate recess until 8 o'clock tonight.

Senator Kellie moved that the Senate adjourn until 10 o'clock Monday morning.

Action being on the longest time first, the motion to adjourn until Monday morning at 10 o'clock was lost.

The motion to recess until 8 o'clock tonight was then adopted.

# AFTER RECESS.

(Night Session.)

The Senate was called to order by President Pro Tem. Skinner.

## SENATE BILL NO. 199.

Senate bill No. 91 was pending business, and

Senator Griggs called up from the President's table, which was subject to call, Senate bill No. 199.

The Chair laid before the Senate, on second reading,

Senate bill No. 199, A bill to be entitled "An Act to amend Chapter 10 of the General Laws passed at the First Called Session of the Twenty-ninth Legislature of Texas by amending Subdivision 2 of Section 16 of said act, and by repealing Section 21 of said act."

Senator Griggs offered the following amendment, which was adopted:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. That Section 16 of Chapter 10 of the General Laws passed at the First Called Session of the Twenty-ninth Legislature be and the same is hereby amended so as to read as follows:

"Sec. 16. Savings banks shall have authority:

"1. To receive, accumulate and safely keep any deposit of money from any persons, corporations or societies and to invest, hold and repay the same, crediting and paying interest thereon as in this act authorized and provided, and not otherwise.

"2. At its option in connection therewith to take and receive as bailee for safe keeping and storage, jewelry, plate, money, specie, bullion, stocks, bonds, securities and valuable papers of any kind and other valuables, guaranteeing their safety upon such terms and for such compensation as may be agreed upon and to let out vaults, safes and other receptacles for the use, benefit and purposes of such corporations. It shall be authorized to loan money on jewelry, plate, specie, bullion, stocks, bonds and securities left with it for safe keeping, such loans not to exceed 60 per cent of the market value of said property.

"Sec. 2. That Section 21 of Chapter 10 of the General Laws passed at the First Called Session of the Twenty-ninth Legislature of Texas be and the same is hereby repealed.

"Sec. 3. The fact that there is no adequate law upon this subject, creates a public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and the same is hereby suspended, and that this act take effect from and after its passage, and it is so enacted."

Senator Chambers offered the following amendment:

Amend the bill by striking out the enacting clause.

Senator Griggs moved to table the amendment, and the yeas and nays were called for and the roll call developed no quorum present, the following Senators answering to their names:

### Yeas—8.

Alexander.	Meachum.
Green.	Skinner.
Griggs.	Watson.
Hudspeth.	Willacy.

### Nays—11.

Brachfield.	Looney.
Chambers.	Mayfield.
Faust.	Murray.
Grinnan.	Paulus.
Harper.	Stone.
Holsey.	

### Absent.

Cunningham.	Senter.
Harbison.	Smith.
Kellie.	Terrell.
Masterson.	Veale.

### Absent—Excused.

Barrett.	Greer.
Glasscock.	Stokes.

Senator Griggs moved a call of the Senate for the purpose of securing a quorum; the motion being duly seconded, was so ordered.

The roll was called, the following answering to their names:

### Present—19.

Alexander.	Looney.
Brachfield.	Mayfield.
Chambers.	Meachum.
Faust.	Murray.
Green.	Paulus.
Griggs.	Skinner.
Grinnan.	Stone.
Harper.	Watson.
Holsey.	Willacy.
Hudspeth.	

### Absent.

Cunningham.	Kellie.
Harbison.	Masterson.

Senter. Terrell.  
Smith. Veale.

Absent—Excused.

Barrett. Greer.  
Glasscock. Stokes.

Senators Smith, Masterson and Senter were here announced present, which completed a quorum, and the Senate proceeded to business.

(Lieutenant Governor Davidson in the chair.)

Action recurred on the motion by Senator Griggs to table the amendment by Senator Chambers, and the motion to table was withdrawn.

Senator Skinner offered the following amendment to perfect the bill:

Amend the bill as amended as follows: Strike out last four lines of amendment to Subdivision 2, reading as follows:

"It shall be authorized to loan money on jewelry, plate, specie, bullion, stocks, bonds and securities left with it for safe keeping, such loans not to exceed 60 per cent of the market value of said property."

The amendment was adopted by the following vote:

Yeas—18.

Alexander.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Faust.	Paulus.
Green.	Skinner.
Grinnan.	Smith.
Harper.	Stone.
Holsey.	Terrell.
Looney.	Willacy.

Nays—5.

Griggs.	Senter.
Hudspeth.	Watson.
Murray.	

Absent.

Cunningham.	Kellie.
Harbison.	Veale.

Absent—Excused.

Barrett.	Greer.
Glasscock.	Stokes.

Senator Chambers here withdrew his amendment.

Senator Griggs offered the following amendment, which was adopted:

Amend the bill by striking out the caption and inserting in lieu thereof the following:

"An Act to repeal Section 21 of

Chapter 10 of the General Laws passed by the Twenty-ninth Legislature of Texas at the First Called Session, relating to banks and banking, and declaring an emergency."

The bill was read second time, and was ordered engrossed by the following vote:

Yeas—21.

Alexander.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Faust.	Paulus.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Looney.	Willacy.
Masterson.	

Nays—2.

Holsey.	Smith.
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Absent.

Cunningham.	Kellie.
Harbison.	Veale.

Absent—Excused.

Barrett.	Greer.
Glasscock.	Stokes.

On motion of Senator Griggs, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Alexander.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Cunningham.	Paulus.
Faust.	Senter.
Green.	Skinner.
Griggs.	Smith.
Grinnan.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Looney.	Willacy.
Masterson.	

Nays—1.

Holsey.	
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Absent.

Harbison.	Veale.
Kellie.	

Absent—Excused.

Barrett.	Greer.
Glasscock.	Stokes.

The bill was read third time, and passed by the following vote:

## Yeas—21.

Alexander.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Faust.	Paulus.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Looney.	Willacy.
Masterson.	

## Nays—2.

Holsey.	Smith.
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## Absent.

Cunningham.	Kellie.
Harbison.	Veale.

## Absent—Excused.

Barrett.	Greer.
Glasscock.	Stokes.

Senator Griggs moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 91.

The Chair laid before the Senate, on second reading and as pending business from last night,

Senate bill No. 91, A bill to be entitled "An Act to define who are peddlers, and declaring all persons who go from house to house and place to place making a sale of or offering to sell merchandise by retail, or offering to take orders for the future delivery of merchandise, regardless of the mode and the manner of delivery; providing for the mode and manner of obtaining and the issuance of license, and keeping a record of same; levying an occupation tax on such persons, and providing a penalty for the violation of this act."

The following amendment was pending, but was changed so to read as follows:

Amend the bill on page 2, in line 31, after the word "the" and before the word "future" by inserting the following: "Present or future delivery of any household furniture, fixtures, carpets, curtains, or rugs, or who sells or offers for sale or takes an order or offers to take an order for the present or the."

The amendment, as changed and after being read, was adopted.

Senator Meachum offered the following amendment, which was adopted:

Amend the bill, page 1, line 26, after the word "merchandise," by adding after said word and before the word "by," in said line 26, the words: "Wholly and entirely," and by inserting after the word "by" and before the word "wholesale," in line 27, the words "wholly and entirely."

Senator Meachum offered the following amendment, which was adopted:

Amend the bill on page 1, in line 15, of the printed bill, by adding after the word "persons" the following: "Acting for himself or for any other person, firm or corporation," and by adding after the word "person," in line 18, the following: "Acting for himself or for any other person, firm or corporation."

Senator Meachum offered the following amendment, which was adopted:

Amend the printed bill, on page 4, by adding thereto Section 6a, to read as follows:

"It shall be the duty of the Secretary of State of the State of Texas, before issuing a permit to do business in this State to any foreign corporation seeking to engage in the retail sale of any article mentioned in this act, or which shall have any agent, agents, representative or peddler so engaged for it in the retail sale of any of the articles mentioned in this act, or the taking of orders therefor, to require such foreign corporation to enter into a bond in the sum of \$10,000 payable to the Governor of Texas and to his successors in office, at Austin, Travis county, Texas, conditioned that it will comply with the provisions of this act and that any and every agent of such foreign corporation who engages in the present or future sales, by immediate delivery or order for future delivery, of any of the articles or things mentioned in this act, will comply with and abide by the provisions of this act; and in case of the failure or refusal of any agent of such foreign corporation to comply with any of the provisions required by this act it shall be the duty of the Attorney General of Texas to bring suit in the name of the State of Texas in the district court of Travis county against such foreign corporation to recover upon said bond heretofore provided for and to cancel the permit of such foreign corporation to do business in this State and said foreign corporation, in case of final judgment being rendered against it, shall be forever barred from doing business in this State. It is further

provided that the fact that any person is selling by retail the articles mentioned in this act for any such foreign corporation, or is taking or soliciting orders therefor for either present or future delivery of such articles, or any of them mentioned in this act shall, when proven, be deemed and held to establish the agency upon the part of any such person for and in behalf of such foreign corporation."

Senator Meachum offered the following amendment, which was adopted:

Amend the caption in line 13, by adding after the word "act," the following: "And requiring any foreign corporation seeking to engage in the sale by retail of certain articles and things within this State, to give bond, payable to the Governor of Texas and to his successors in office, conditioned that such foreign corporations, its servants, agents and employes acting for it within this State, in the sale by retail of certain articles and things, will comply with the provisions of this act. Authorizing the Secretary of State to require such bond before issuing a permit to such foreign corporations to do business in this State and providing for suit upon behalf of the State of Texas to recover upon such bond, and to cancel the permit of such foreign corporation."

Bill read second time, and ordered engrossed.

On motion of Senator Harper, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Alexander.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Faust.	Paulus.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Stone.
Harper.	Terrell.
Holsey.	Watson.
Hudspeth.	Willacy.
Looney.	

Nays—1.

Cunningham

Absent.

Harbison.	Smith.
Kellie.	Veale.
Masterson.	

Absent—Excused.

Barrett.	Greer.
Glasscock.	Stokes.

The bill was read third time, and passed.

Senator Harper moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 183.

On motion of Senator Holsey, who was the next on the roll call,

The Chair laid before the Senate, on second reading,

Senate bill No. 183, A bill to be entitled "An Act to create in the Department of Agriculture of Texas a Bureau of Cotton Statistics; prescribing the duties of the Commissioner of Agriculture, the county clerks, the public ginners, and prescribing penalties for the violation of this act."

Senator Holsey offered the following amendment:

Amend the bill, page 3, line 2, by striking out the word "eight," and inserting in lieu thereof the word "nine."

The amendment was adopted by the following vote:

Yeas—16.

Alexander.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Paulus.
Green.	Senter.
Grinnan.	Skinner.
Holsey.	Terrell.
Hudspeth.	Willacy.

Nays—7.

Faust.	Smith.
Griggs.	Stone.
Looney.	Watson.
Murray.	

Absent.

Harbison.	Kellie.
Harper.	Veale.

Absent—Excused.

Barrett.	Greer.
Glasscock.	Stokes.

Senator Skinner offered the following amendment, which was adopted:

Amend the bill by inserting after the word "all," in line 12, page 1, the following: "Custom."

Senator Holsey offered the following amendment, which was adopted:

Amend the bill by adding to Section 91, "All laws or parts of laws in conflict with this act are hereby repealed."

Senator Holsey offered the following amendment, which was adopted:

Amend the bill by adding the emergency clause:

"Sec. 7. The fact that there is no law regulating and prescribing the method of securing cotton reports, and the fact that the calendar is crowded and the session is nearing a close, creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days should be and is hereby suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

Senator Holsey offered the following amendment, which was adopted:

Amend the caption by adding after the word "act," line 10, "and declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Holsey, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Alexander.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Smith.
Harper.	Stone.
Holsey.	Terrell.
Hudspeth.	Watson.
Looney.	Willacy.

Absent.

Harbison.	Veale.
Kellie.	

Absent—Excused.

Barrett.	Greer.
Glasscock.	Stokes.

The bill was read third time, and passed by the following vote:

Yeas—18.

Alexander.	Hudspeth.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Paulus.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Terrell.
Holsey.	Willacy.

Nays—5.

Harper.	Looney.
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Smith.	Watson.
Stone.	

Absent.

Harbison.	Murray.
Kellie.	Veale.

Absent—Excused.

Barrett.	Greer.
Glasscock.	Stokes.

Senator Holsey moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 116.

On motion of Senator Hudspeth, The Chair laid before the Senate, on second reading,

Senate bill No. 116, A bill to be entitled "An Act making it an offense, and providing a punishment therefor for any person to obtain in this State from another person, money upon false and fraudulent representations for employment or personal service."

Senator Senter offered the following amendment, which was adopted:

Amend Section 1 of the bill by inserting after the word "person," in line 13, the words: "Or shall make any other false and fraudulent representation to another for the purpose of obtaining from him money or other thing of value."

Senator Senter offered the following amendment, which was adopted:

Amend the caption by adding after the word "money," in line 7, the words, "or other thing of value," and insert after the word "representatives," in line 8, the words, "for the purpose of obtaining from him money or other thing of value."

Senator Chambers offered the following amendment:

Amend the bill by striking out the enacting clause.

Senator Mayfield moved to table the amendment, which motion to table was adopted by the following vote:

Yeas—14.

Alexander.	Mayfield.
Cunningham.	Meachum.
Griggs.	Paulus.
Grinnan.	Senter.
Harper.	Stone.
Hudspeth.	Terrell.
Masterson.	Watson.

Nays—10.

Brachfield.	Faust.
Chambers.	Green.

Holsey.	Skinner.
Looney.	Smith.
Murray.	Willacy.

Absent.

Harbison.	Veale.
Kellie.	

Absent—Excused.

Barrett.	Greer.
Glasscock.	Stokes.

Senator Hudspeth offered the following amendment:

Amend the bill by striking out all after the word "dollars," in line 19, down to and including the word "months," in line 20.

Pending.

## BILLS SIGNED.

The Chair (Lieutenant Governor Davidson) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read.

Senate bill No. 165, "An Act to authorize Galveston county to build and own the combination roadway and bridge from mainland to Galveston Island across Galveston Bay; to connect as part of the roadway of the county on the island and mainland, and the county to issue bonds for same on taxation; also establishing three-mile limit and condemnation proceedings and providing for the right of way; also to authorize all corporations using said structure to buy the bonds issued by the county, and to lease the right of easement of user of portion of said structure to such county on terms provided by this act and agreed on with the county commissioners court, with an emergency clause."

House bill No. 552, "An Act to grant a charter to the city of Greenville, Hunt county, Texas; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Senate bill No. 55, "An Act to authorize the commissioners courts of the several counties of Texas to create and establish drainage districts, etc."

Senate bill No. 45, "An Act on the subject of private corporations organized for the purpose of owning, maintaining and caring for public or private cemeteries; defining their powers and exempting the same from certain provisions of the statutes of this State."

(By President Pro Tem. Skinner.)

House bill No. 204, "An Act to amend Section 3 of Chapter 58 of the Acts of the Regular Session of the Twenty-ninth Legislature of the State of Texas, reorganizing the Twenty-third, Twenty-

fourth, Twenty-fifth, Thirty-sixth and Forty-ninth Judicial Districts of the State of Texas, and fixing the time of holding district courts therein, so as to change the time of holding district court in Gonzales county."

House bill No. 16, "An Act to amend Title I of the Revised Civil Statutes of Texas, 1895, relating to the adoption of children, by adding thereto Article 2a, providing for the transfer by the natural to the adoptive parents, of the custody and parental authority over an adopted child."

House bill No. 150, "An Act to amend Article 1538, Title XI, Chapter 2, of the Revised Civil Statutes of the State of Texas, relative to the powers and duties of the county commissioners courts, and authorizing the levy of a tax of not exceeding 15 cents on the \$100 valuation to pay jurors."

## ADJOURNMENT.

On motion of Senator Paulus, the Senate, at 10:20 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

## APPENDIX.

## COMMUNICATION.

Senator Holsey offered the following and requested same published in the Journal:

Corsicana, Texas, March 13, 1907.

At a meeting of Camp Winkler, U. C. V., held in Corsicana, March 13, 1907, the following resolution was adopted:

Whereas, It has been reported that in matter of granting pensions to Confederate veterans, fraud and imposition is sometimes practiced, so that some persons are receiving pensions from the State of Texas who are not entitled to the same, thereby lessening the amount that should be drawn by worthy and deserving old soldiers; and

Whereas, County commissioners courts are generally composed of men belonging to a younger generation than those who served in the army during the war between the States, and who are, therefore, liable to be deceived by imposters, claiming to have been Confederate soldiers; and

Whereas, It is very important that the money appropriated by the State for pensions, should be paid only to those who are entitled to it; therefore, be it

Resolved, That the Legislature is here-

by requested to enact a law in substance as follows:

The county judge of each county shall appoint a committee, to be called an advisory committee, consisting of nine Confederate veterans residing either at or near the county seat, three of whom shall have served in the army of Northern Virginia, three in the Army of Tennessee, and three in the Trans-Mississippi Army, the same to be recommended by the U. C. V. Camp of said county, if there is such camp, whose duty it shall be to examine every applicant for a pension, or for admittance into the Confederate Home, ascertaining whether or not he actually served in the Confederate army, and whether or not he deserves a pension, and report their conclusions to the commissioners court. Said committee shall serve free of charge and shall meet as often as necessary.

This act shall not conflict with any of the requirements already in force with regard to applicants for a pension, or for admittance into the Confederate Home.

H. G. DAMON, Adjutant.

#### INVITATION.

The Chair laid the following before the Senate:

Austin, Texas, March 14, 1907.

To the Hon. A. B. Davidson, President of the Senate:

As president of the Texas division of U. D. C., it is my privilege and pleasure to announce to you that the laying of the corner stone of the Confederate Woman's Home, now being erected in the city of Austin, will take place March 15, at 3 p. m. We, the Daughters of the Confederacy, request the presence of your honorable body, the Texas Senate, now in session, at this ceremony.

Respectfully,

MRS. JOSEPH B. DIBRELL,  
President Texas Division U. D. C.

#### COMMITTEE REPORTS.

Committee Room,

Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: We, your Committee on Constitutional Amendments, to whom was referred

Senate Joint Resolution No. 14, A joint resolution by the Legislature to amend the Constitution of the State of Texas by adding Article 12a thereto,

which said article shall be divided into Sections 1, 2, 3, 4, 5, 6, 7, 8 and 9,

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass with the following amendments:

Insert after the word "insolvent," in line 1, Section 2, the following words: "every railroad corporation and other public service," and

Amend Section 3, adding after the word "every," in line 1, the words "every railway corporation and other public service," and

Amend line 1, Section 4, by adding after the word "any," the words "every railway corporation and other public service."

Amend Section 5, by adding after the word "every," the words "railway corporation and other public service."

HARPER, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: We, a minority of your Committee on Constitutional Amendments, to whom was referred

Senate Joint Resolution No. 14, A joint resolution by the Legislature to amend the Constitution of the State of Texas by adding article 12a thereto, which said article shall be divided into Sections 1, 2, 3, 4, 5, 6, 7, 8 and 9,

Have had the same under consideration, and we report it back to the Senate with the recommendation that it do not pass.

SMITH.

(Floor Report.)

Committee Room,

Austin, Texas, March 14, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: We, the undersigned members of your Committee on Internal Improvements, to whom was referred

House bill No. 364, A bill to be entitled "An Act to prohibit any corporation or receiver operating a line of railway in whole or in part, in the State of Texas, or any officer, agent or representative of such corporation or receiver, from requiring or permitting any conductor, engineer, fireman, brakeman, train dispatcher or telegraph operator who has been on duty for fourteen consecutive hours to perform any work until

he has had at least eight hours off duty."

Have had the same under consideration, and report it back to the Senate with the recommendation that it do pass.

Brachfield, Chairman; Murray, Holsey, Skinner, Alexander, Willacy, Chambers, Looney, Green, Senter, Faust.

(Floor Report.)

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: Your Committee on Education, to whom was referred

House bill No. 563. A bill to be entitled "An Act creating the Alpine Independent School District in Brewster county, Texas, and defining its boundaries; and declaring an emergency,"

Have had the same under consideration, and report it back to the Senate with the recommendation that it do pass, and be not printed.

Harper, Meachum, Senter, Kellie, Green, Paulus.

(Floor Report.)

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: Your Finance Committee, to whom was referred

House bill No. 309, A bill to be entitled "An Act to amend Section 34, of Chapter 164, of the Acts of the Regular Session of the Nineteenth Legislature relative to State and county finances and to the finances of cities incorporated under the General Laws of this State; providing for designation of depositories for State, county and city funds,"

Have had the same under consideration, and report it back to the Senate with the recommendation that it do pass.

Willacy, Chairman; Green, Harper, Murray, Paulus, Skinner.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: Your Committee on Finance, to whom was referred

Senate bill No. 237, A bill to be entitled "An Act to amend Articles 5091, 5094, 5095, 5099, 5106, 5120, and 5123, of Title CIV, Chapter 3, of the Revised

Statutes of Texas, of 1895, pertaining to the duties of tax assessors and their deputies and of the assessment of property for taxation and the preparation of the tax rolls and other matters pertaining thereto, adding to said title and chapter Articles 5153a, 5153b, 5153c, 5153d and 5153e, providing penalties for the violation of the provisions of this act and the mode of enforcing the provisions of this act, and providing for an emergency and amending Article 5098 of an act passed by the Twenty-fifth Legislature, Chapter 142, page 204 of the Acts of said Legislature which was an amendment of Article 5098 of the Revised Statutes of Texas of 1895,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WILLACY, Chairman.

(Floor Report.)

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: We, your Judiciary Committee No. 1, to whom was referred

House bill No. 186, A bill to be entitled "An Act to compel hotels, boarding houses, or other public places used for sleeping apartments, to provide means of escape in case of fire from buildings of two or more stories high, not already provided for by cities operating under special charters,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass.

Stone, Chairman; Skinner, Green, Harper, Veale, Chambers, Senter, Meachum.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 186, A bill to be entitled "An Act to amend Articles 2954, 2956 and 2958, Title LV, Chapter 1, of the Revised Civil Statutes of the State of Texas, by adding thereto Articles 2954a, 2956a, 2956b, 2958a and 2958b, relating to the issuance, execution of, return of and recording of marriage licenses, and prescribing penalties for the violation of this act,"

Have had the same under considera-

tion, and I am instructed to report same back to the Senate with the recommendation that it do pass.

STONE, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 218, A bill to be entitled "An Act to amend Article 650b, Chapter 2, Title XXI of the Revised Civil Statutes of the State of Texas, with an emergency clause,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

STONE, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 251, A bill to be entitled "An Act to amend Article 642 of Chapter 2, Title XXI of the Revised Civil Statutes of Texas of 1895, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

STONE, Chairman.

(Floor Report.)

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: We, your Judiciary Committee No. 1, to whom was referred

House bill No. 264, A bill to be entitled "An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies, and to legalize dissections and experiments by authorized persons,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass and be not printed.

Stone, Chairman; Veale, Griggs, Skinner, Green, Senter, Paulus, Grinnan.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 272, A bill to be entitled "An Act to amend Article 4497, 4498, 4499, 4500, 4501 and 4502 of the Revised Civil Statutes of Texas of 1895, approved March 28, 1899, regulating the furnishing of cars to shippers of freight by rail, and the loading of such cars, and the transportation, delivery and unloading of freight in carload lots, and fixing penalties for violations,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

STONE, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 221, A bill to be entitled "An Act to amend Article 651, Chapter 3, Title XXI, of the Revised Statutes of the State of Texas,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

STONE, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: Your Judiciary Committee No. 1, to whom was referred

House bill No. 205, A bill to be entitled "An Act to define dependent and neglected children and to regulate the treatment of same,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

STONE, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: Your Judiciary Committee No. 1, to whom was referred

House bill No. 77, A bill to be entitled "An Act making it a misdemeanor to abandon or wilfully neglect to pro-

vide for the support and maintenance by any person, of his wife, or his or her minor children, in destitute or necessitous circumstances,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

STONE, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

House bill No. 206, A bill to be entitled "An Act to define 'delinquent child,' and to regulate the treatment and control of same,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

STONE, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 217, A bill to be entitled "An Act to amend Article 2439, Chapter 1, Title LXV of the Revised Civil Statutes of the State of Texas of 1895, in reference to fees of office to be charged and collected by certain State officers,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do not pass, but that the substitute attached do pass.

STONE, Chairman.

S. S. B. No. 217. By Committee.

#### A BILL

#### To Be Entitled

An Act to amend Article 2439, Chapter 1, Title XLV, of the Revised Civil Statutes of the State of Texas, of 1895, in reference to fees of office to be charged and collected by certain State officers.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 2439, Chapter 1, Title XLV, of the Revised Civil Statutes of the State of Texas of 1895, in reference to fees of certain

State officers, be amended so as to hereafter read as follows:

Article 2439. The Secretary of State, besides other fees that may be prescribed by law, is authorized and required to charge for the use of the State the following fees: For each and every charter, amendment or supplement thereto, of a private corporation created for the purpose of operating or constructing a railroad, magnetic telegraph line or street railway, or express company, authorized or required by law to be recorded in said department, a fee of \$100, to be paid when said charter is filed; provided, that if the authorized capital stock of said corporation shall exceed \$100,000, it shall be required to pay an additional fee of \$25 for each \$100,000 of authorized capital stock or fractional part thereof, after the first; for each and every charter, amendment or supplement thereto, of a private corporation intended for the support of public worship, any benevolent, educational, missionary, literary or scientific undertaking, the maintenance of a library, the promotion of painting, music or other fine arts, the encouragement of agriculture or horticulture, the maintenance of public parks, and facilities for skating and other innocent sports, and the maintenance of a public cemetery, not for profit, a fee of \$10, to be paid when the charter is filed; for each and every charter, amendment or supplement thereto of a private corporation, created for any other purpose, intended for mutual profit or benefit, a fee of \$25 shall be paid when the charter is filed for record; provided, that if the authorized capital stock of said corporation shall exceed \$10,000 it shall be required to pay an additional fee of \$5 for each additional \$10,000 of its authorized capital stock, or fractional part thereof, after the first; for each commission to every officer elected or appointed in this State, a fee of \$1; and each and every officer elected or appointed in this State, is required to apply for and receive his commission, provided, that the Secretary of State shall not be required to forward copies of laws to, nor attest the authority of any officer in this State who fails and refuses to take out his commission as required herein; for each official certificate, a fee of \$1; for warrant of requisition, a fee of \$2; for every remission of fine or forfeiture, \$1; for copies of any paper, document, or record in his office, for each 100 words, 15 cents; for each and every charter, amendment

or supplement thereto, taken out under Chapter 14, Title XXI, Revised Civil Statutes of 1895 (channel and dock corporations) a fee of \$100 shall be paid to the Secretary of State for the use and benefit of the State, which shall be paid when the charter, amendment or supplement thereto is filed for record. Each foreign corporation obtaining a permit to do business in this State shall pay fees as follows: If its authorized capital stock be \$10,000 or less, the fee for permit shall be \$25; and if the authorized capital stock exceeds \$10,000, the fee for permit shall be \$25 for the first \$10,000 of its authorized capital stock, and \$5 for each additional \$10,000 or fractional part thereof. Provided, however, that every mutual building and loan association whose stock is not permanent, but redeemable, shall pay in obtaining a permit to do business in this State, fees as above provided, based on its paid-in capital. All fees mentioned in this article shall be paid in advance into the office of the Secretary of State, and shall be by him paid into the State Treasury monthly.

Sec. 2. The near approach of the end of the session, and the demand for immediate legislation on this subject, constitutes an imperative public necessity that the constitutional rule requiring bills to be read in each house of the Legislature on three several days be suspended, and that this act take effect from and after its passage, and it is so enacted.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 142, A bill to be entitled "An Act to dispense with liquidated mortgages without the cost of cancellation, and to relieve the county vaults of worthless paper, with an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following committee amendments:

(1) Strike out all of Section 1 down to the second period, ending with the words "or by burning the same."

(2) Strike out the word "farmers," before the word "chattel," at the beginning of the third sentence, and

(3) Strike out "four years," and insert in lieu "six years."

LOONEY, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 245, A bill to be entitled "An Act to so amend Chapter 64, Acts Regular Session of the Twenty-ninth Legislature, page 91, as to extend its provisions to those engaged in the business or occupation of ordering spirituous, vinous or intoxicating liquors, and to make it unlawful to permit the same to be drunk at any place provided by such person, firm or association of persons, their agents and employes, for that purpose, and prescribing penalties,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LOONEY, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 105, A bill to be entitled "An Act to amend Article 723 of the Code of Criminal Procedure of the State of Texas, relating to new trials and the reversals on appeals,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LOONEY, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 104, A bill to be entitled "An Act to amend Article 841 of the Penal Code of the State of Texas in relation to burglary,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LOONEY, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 106, A bill to be en-

titled "An Act to amend Article 770, Title VIII, of the Code of Criminal Procedure, in relation to a witness testifying as a witness in his own behalf,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LOONEY, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 102, A bill to be entitled "An Act to amend Article 790, Title VIII, of the Code of Criminal Procedure of Texas, relating to evidence,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LOONEY, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 216, A bill to be entitled "An Act to prohibit contributions of money, or its equivalent, by corporations for the purpose of aiding or defeating the election of any candidate for the office of Representative to Congress of the United States, Presidential or Vice Presidential Electors from this State, or for any State, district, county or precinct office in this State, and providing penalties therefor, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following committee amendment:

Insert after the words, "doing business in this State," the following: "Or of any foreign country."

LOONEY, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 211, A bill to be entitled "An Act making it unlawful for a parent to desert or abandon helpless and dependent minor children, and mak-

ing it unlawful for a husband to desert or abandon his wife when she is in a needy condition and is dependent upon others for food, clothing and nursing, etc., and to provide punishment for such offenses, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LOONEY, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 165, A bill to be entitled "An Act to amend Chapter 6, Title XVII, Article 841, of the Penal Code of the State of Texas, as reported by the codifiers to the Twenty-fourth Legislature, and adopted at the Regular Session thereof in 1895, defining 'entry,' as used in Article 838 and Article 839 of Chapter 6, Title XVII of the said Penal Code, defining burglary,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LOONEY, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 500, A bill to be entitled "An Act to amend Chapter 153 of the General Laws of the State of Texas, passed at the Regular Session of the Twenty-fifth Legislature, and amended at the Regular Session of the Twenty-sixth Legislature, and at the Regular Session of the Twenty-seventh Legislature, and at the First Called Session of the Twenty-seventh Legislature, and at the Regular Session of the Twenty-eighth Legislature, and as amended by the Regular Session of the Twenty-ninth Legislature, an act to prohibit the taking of fish from the fresh waters and streams of this State otherwise than by means of the ordinary hook and line and trot line; and to prohibit the sale or shipping of game fish in this State; and to provide penalties for the violation thereof, by fixing a penalty for the use of poison, dynamite or other explosives in killing, catching and taking fish,"

Have had the same under consideration, and I am instructed to report the

same back to the Senate with the recommendation that it do pass.

LOONEY, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Substitute Senate bill No. 20, A bill to be entitled "An Act to reorganize the First and Second Judicial districts in the State of Texas, to prescribe the time for the holding of the courts therein, and to repeal all laws in conflict with same, and to validate all process, bonds and recognizances heretofore taken in the courts of said districts, and all judgments therein rendered or to be rendered, and to provide an emergency,"

And find the same correctly engrossed.  
CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, March 14, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 10, A bill to be entitled "An Act on the subject of private corporations (defining and), prohibiting insolvent corporations, domestic and foreign, from doing business in this State; providing for quo warranto or other appropriate proceedings to have the charter or permit of such insolvent corporations forfeited or canceled, as the case may be, and also providing for the cancellation of all stocks and bonds issued by any corporation for purposes other than for moneys paid to, labor done for or property received by said corporation,"

And find the same correctly engrossed.  
CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 111, A bill to be entitled "An Act to amend Article 256, Chapter 6 of the Penal Code, relating to extortion, and to add Article 256a, making it a misdemeanor, punishable with a fine of not less than \$25 nor more than \$250, for any officer, or other person authorized by law, to demand or

receive fees of office, to willfully make out his account for fees in excess of those allowed by law, to present or file such account with the proper officer with whom the law requires the same to be presented or filed, and declaring an emergency,"

And find the same correctly engrossed.  
CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate Joint Resolution No. 11, Joint resolution to amend Section 2, Article 8, of the Constitution of the State of Texas, relating to certain exemptions from taxation,"

And find the same correctly engrossed.  
CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, March 13, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 54, A bill to be entitled "An Act to provide for the punishment of persons responsible for or contributing to the delinquency or neglect and dependency of children, and declaring an emergency,"

And find the same correctly engrossed.  
CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, March 14, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 59, A bill to be entitled "An Act to define 'delinquent child,' and to regulate the treatment and control of same, and declaring an emergency,"

And find the same correctly engrossed.  
CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 260, A bill to be entitled "An Act to ratify and confirm the action of the board of commissioners

of the city of Galveston, passed February 14, 1907, releasing and conveying to the United States of America that certain area or territory in Galveston Bay therein set forth and described, and declaring an emergency,"

And find the same correctly engrossed.  
CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, March 16, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate Concurrent Resolution No. 6, permitting Hon. H. G. Hendricks, judge of Thirty-first Judicial District, to absent himself from the State of Texas during the summer of 1907,

And find the same correctly engrossed.  
TERRELL, Acting Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 149, "An Act relating to negotiable instruments; the form and interpretation thereof; the consideration which will sustain negotiable instruments; the negotiation thereof; the rights of the holders thereof; the liabilities of the parties; the presentment for payment; notice of dishonor thereof; the discharge of negotiable instruments, and defining the terms of acceptance, action, bank, bearer, bill, delivery, holder, endorsement, instrument, issue, person, value and written, and repealing all laws in conflict with this act, and providing for an emergency,"

And find the same correctly engrossed.  
TERRELL, Acting Chairman.

Committee Room,  
Austin, Texas, March 15, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate Joint Resolution No. 12, To amend Section 51 of Article 3 of the Constitution of the State of Texas, as amended in 1903, so as to authorize the grant of aid in the establishment and maintenance of a home for the disabled and dependent wives and widows of Confederate soldiers and sailors and such

women as aided the Confederacy, and making an appropriation.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 51 of Article 3 of the Constitution of the State of Texas, as amended in 1903, be so amended as to hereafter read as follows:

Article 3. Sec. 51. The Legislature shall have no power to make any grant or authorize the making of any grant of public money to any individual, associations or individuals, municipal or other corporations whatsoever; provided, however, the Legislature may grant aid to indigent and disabled Confederate soldiers and sailors who came into the State of Texas since March 1, 1880, who are either over 60 years of age or whose disability is the proximate result of actual service in the Confederate army for a period of at least three months, their widows in indigent circumstances who have never re-married and who have been bona fide residents of the State of Texas since March 1, 1880, and who were married to such soldiers anterior to March 1, 1880; provided said aid shall not exceed \$8 per month, and provided further, that no appropriations shall ever be made for the purpose hereinbefore specified in excess of \$500,000 for any one year. And also grant aid to the establishment and maintenance of a home for said soldiers and sailors, their wives and widows and women who aided the Confederacy, under such regulations and limitations as may be provided by law; provided, the grant to aid said homes shall not exceed \$150,000 for any one year, and no inmate of said homes shall be entitled to any other aid from the State; the Legislature may provide for husband and wife to remain together in the home, and provided further, that the provisions of this section shall not be construed to prevent the grant of aid in case of public calamity.

Sec. 2. The Governor of the State is hereby directed to issue the necessary proclamation for the submission of this amendment to the qualified voters of the State of Texas on the first Tuesday in August, 1907.

The sum of \$5,000, or so much thereof as may be necessary, is hereby appropriated to pay the expenses of carrying out the provisions of this resolution,

And find it correctly enrolled, and have this day, at 10:30 o'clock a. m., presented same to the Governor for his approval.

MASTERSON, Chairman.

Committee Room,  
Austin, Texas, March 14, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 7, "An Act authorizing the Southern Kansas Railway Company of Texas to take up and abandon that part of its track and roadbed extending from Washburn to Panhandle, and, in lieu thereof, locate, construct, maintain and operate its road on a line extending direct from Panhandle to Amarillo."

Be it enacted by the Legislature of the State of Texas:

Section 1. The Southern Kansas Railway Company of Texas is hereby authorized and empowered to take up and abandon all that part of its track, roadbed and right of way extending from Washburn, in Armstrong county, to Panhandle, in Carson county, a distance of 14.72 miles, and being that part of its line purchased under and in pursuance of an act of the Twenty-sixth Legislature of the State of Texas, presented to the Governor for his approval on the 9th day of March, 1899, and published as Chapter \* \* \* XXV of the laws enacted by said Legislature, and, in lieu of such abandoned track and roadbed, to locate, build and construct under its charter its line or road direct from Panhandle, in Carson county, to Amarillo, in Potter county, and to a junction with the line of the Pecos & Northern Texas Railway Company at Amarillo, a distance of about 24.86 miles.

Sec. 2. Said railway company shall, before abandoning that part of its line of road between Washburn and Panhandle, construct and put in condition for the running and operation of trains thereon, such new line from Panhandle to Amarillo, and in making such change in its line of road it shall so prosecute such undertaking as not to interfere with a proper running and operation of its trains between Amarillo and Higgins, as the same are now required by law to be run for the transportation of freight, passengers and the mails.

Sec. 3. When said part of said company's line of road has been so changed, as authorized by Sections 1 and 2 of this act, that part of said company's line of road between Panhandle and Amarillo, and constructed to make such change in its line, shall be and is hereby declared to be subject to all mortgages, bonded

indebtedness and claims of any and all kinds and characters whatsoever as such abandoned part of its line is now or may at the time of such abandonment be subject, with like force and effect as if such new line were the identical lands and property as the old, and no person, firm or corporation having any valid claim for debt or damage against said company or property shall be given any preference or suffer any loss or prejudice as to such claim or claims.

Sec. 3a. The enactment of this law shall not preclude any person who may have a legal cause of action against said Southern Kansas Railway Company for damages, if any, occasioned by reason of the taking up and destruction of said track, from prosecuting said cause of action in the proper courts having jurisdiction thereof.

Sec. 4. The fact that extensive and important internal improvements and material developments are waiting and dependent upon the result of the enactment and taking effect of this law, and the material interests of the State will be largely benefited thereby, creates an imperative public necessity and emergency requiring the suspension of the constitutional rule requiring bills to be read on three several days, and the same is so suspended, and this act shall take effect from and after its passage, and it is so enacted.

And find it correctly enrolled, and have this day, at 4:50 o'clock p. m., presented same to the Governor for his approval.

MASTERSON, Chairman.

#### FIFTY-FIRST DAY.

Senate Chamber,  
Austin, Texas,  
Saturday, March 16, 1907.

Senate met pursuant to adjournment.  
Lieutenant Governor A. B. Davidson in the chair.

Roll call, no quorum present, the following Senators answering to their names:

Present—19.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Cunningham.	Murray.
Glasscock.	Skinner.
Green.	Smith.
Grinnan.	Stone.
Harper.	Watson.
Holsey.	Willacy.
Hudspeth.	